

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)	Chapter	13
Leah Chavie)	No.	22-14470
)	Judge	Thorne
Debtor.)	Trustee	Marshall

NOTICE OF MOTION

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on the 29th Day of March, 2023, at 9:30 A.M., I will appear before the Honorable Deborah L. Thorne, or any judge sitting in that judge's place, either in courtroom 680 of the Dirksen Federal Building, 219 South Dearborn Street, Chicago, IL 60604, or electronically as described below, and present the **Motion of the Debtor To Vacate Dismissal**, a copy of which is attached.

All parties in interest, including the movant, may appear for the presentment of the motion either in person or electronically using Zoom for Government.

You may appear electronically by video or by telephone.

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and passcode.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and passcode.

Meeting ID and passcode: The meeting ID for this hearing is 160 9362 1728. No passcode is required. The meeting ID and passcode can also be found on the judge's page on the court's website.

If you object to this motion and want it called on presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without calling it.

By: Laxmi P. Sarathy
17W775 Butterfield Road, Suite 114
Oakbrook Terrace, IL 60181
Tel: 312-674-7965
Fax: 312-873-4774

CERTIFICATE OF SERVICE

I, Laxmi P. Sarathy, an attorney, on oath, certify that I caused to be served a copy of the above **Notice**, together with the attached **Motion**, on each entity shown on the attached list at the address shown and by the method indicated on the list on March 22, 2023.

/s/ Laxmi P. Sarathy

SERVICE LIST

Via ECF only:

Chapter 13 Trustee, Marilyn O. Marshall, 224 S Michigan Ave, Suite 800, Chicago, IL 60604

Patrick Layng, US Trustee, Region 11, 219 S. Dearborn St., Rm 873, Chicago, IL 60604

Service via US Mail: See attached

Label Matrix for local noticing
0752-1
Case 22-14470
Northern District of Illinois
Eastern Division
Wed Mar 22 23:35:30 CDT 2023

U.S. Bank National Association
Robertson, Anschutz, Schneid, Crane & Pa
10700 Abbott's Bridge Rd, suite 170
Duluth, GA 30097-8461

Ascentium Capital LLC
Sarah Dunkley, Esq
200 W Madison St Ste 2700
Chicago, IL 60606-3554

Barclays Bank Delaware
Attn: Bankruptcy
Po Box 8801
Wilmington, DE 19899-8801

(p)JPMORGAN CHASE BANK N A
BANKRUPTCY MAIL INTAKE TEAM
700 KANSAS LANE FLOOR 01
MONROE LA 71203-4774

Department of Treasury
Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

Fay Magnolia, LLC
C/o Equity Investment Services
7575 Dr. Phillips Blvd, #390
Orlando, FL 32819-7260

(p)ILLINOIS DEPARTMENT OF REVENUE
BANKRUPTCY UNIT
PO BOX 19035
SPRINGFIELD IL 62794-9035

Marguerite Tuohy and Grace Moore
350 Belden Ave Unit 402
Chicago, IL 60614-6307

Pinnacle Credit Services, LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

U.S. Bankruptcy Court
Eastern Division
219 S Dearborn
7th Floor
Chicago, IL 60604-1702

Bank of America
PO Box 15019
Wilmington, DE 19850-5019

Bureaus Investment Group Portfolio No 15 LLC
c/o PRA Receivables Management, LLC
PO Box 41021
Norfolk VA 23541-1021

Citibank/Best Buy
Attn: Bankruptcy
P.O. Box 790034
St Louis, MO 63179-0034

Dsnb Bloomingdales
Attn: Recovery 'Bk'
Po Box 9111
Mason, OH 45040

Guidance Res/US Bk
Attn: Bankruptcy
800 Nicollet Mall
Minneapolis, MN 55402-7000

JPMorgan Chase Bank, N.A.
s/b/m/t Chase Bank USA, N.A.
c/o National Bankruptcy Services, LLC
P.O. Box 9013
Addison, Texas 75001-9013

Moira Dolehide
c/o Cuda Law Offices, Ltd.
6525 W North Ave Suite 204
Oak Park, IL 60302-1035

RAS Crane & Partners, PLLC
10700 Abbott's Bridge, suite 170
Duluth, GA 30097-8461

TD Bank, N.A., successor in interest to TD A
c/o Riezman Berger, P.C.
7700 Bonhomme Avenue, 7th Floor
St. Louis, MO 63105-1960

Ascentium Capital LLC
200 W Madison St
Ste 2700
Chicago IL 60606-3554

Bank of America, N.A.
PO Box 673033
Dallas, TX 75267-3033

Capital One/Menards
Attn: Bankruptcy
Po Box 30285
Salt Lake City, UT 84130-0285

Citibank/The Home Depot
Citicorp Credit Svcs/Centralized Bk dept
Po Box 790034
St Louis, MO 63179-0034

Eastern Account System, Inc.
Attn: Bankruptcy
111 Park Ridge Rd
Brookfield, CT 06804-3981

Gulf Front Holdings LLC
6317 Signature Point Ln
Bradenton, FL 34210

(p)JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Stelios Kontos
8 E Chestnut Street 3rd Floor
Chicago, IL 60611-6063

Stelios Kontos
8 E Chestnut Street 4th Floor
Chicago, IL 60611-6056

Synchrony Bank
by AIS InfoSource LP as agent
4515 N Santa Fe Ave
Oklahoma City, OK 73118-7901

Synchrony Bank
c/o PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

Synchrony Bank/Banana Republic
Attn: Bankruptcy Dept
Po Box 965060
Orlando, FL 32896-5060

Synchrony Bank/hhgregg
Attn: Bankruptcy
Po Box 965060
Orlando, FL 32896-5060

Synchrony/PayPal Credit
Attn: Bankruptcy
Po Box 965060
Orlando, FL 32896-5060

TD Bank USA, N.A.
C O WEINSTEIN & RILEY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121-3132

TD Bank, N.A.
successor in interest to TD Auto Finance
P.O. Box 16041
Lewiston ME 04243-9523

Target Nb
C/O Financial & Retail Services
Mailstop BT PO Box 9475
Minneapolis, MN 55440-9475

Td Auto Finance
Attn: Bankruptcy
Po Box 9223
Farmington Hills, MI 48333-9223

The Bureaus Inc
Attn: Bankruptcy
650 Dundee Rd, Ste 370
Northbrook, IL 60062-2757

U.S. Bank National Association
Robertson Anschutz Schneid
Crane & Partners, PLLC
10700 Abbotts' Bridge Rd Suite 170
Duluth, GA 30097-8461

(p)US BANK
PO BOX 5229
CINCINNATI OH 45201-5229

Laxmi P Sarathy
Whitestone, P.C.
17W775 Butterfield Road
Suite 114
ILLINOIS
Oakbrook Terrace, IL 60181-4534

Leah R Chavie
8 E Chestnut Street 4th Floor
Chicago, IL 60611-6056

Marilyn O Marshall
224 South Michigan Ste 800
Chicago, IL 60604-2503

Patrick S Layng
Office of the U.S. Trustee, Region 11
219 S Dearborn St
Room 873
Chicago, IL 60604-2027

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Chase Card Services
Attn: Bankruptcy
P.O. 15298
Wilmington, DE 19850

Illinois Department of Revenue
PO Box 19035
Springfield, IL 62794-9035

Jefferson Capital Systems LLC
Po Box 7999
Saint Cloud MN 56302-9617

PORTFOLIO RECOVERY ASSOCIATES, LLC
POB 41067
Norfolk, VA 23541

(d)Portfolio Recovery Associates, LLC
c/o Best Buy
POB 41067
Norfolk VA 23541

(d)Portfolio Recovery Associates, LLC
c/o THE HOME DEPOT
POB 41067
Norfolk, VA 23541

U.S. Bank National Association
c/o U.S. Bank Home Mortgage,
a division of U.S. Bank N.A.
4801 Frederica Street
Owensboro, Kentucky 42301

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Ascentium Capital LLC

(u)Internal Revenue Service

(u)Illinois Department of Revenue

(du)Internal Revenue Service

End of Label Matrix

Mailable recipients 46

Bypassed recipients 4

Total 50

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)	Chapter	13
Leah Chavie)	No.	22-14470
)	Judge	Thorne
Debtor.)	Trustee	Marshall

DEBTORS' MOTION TO VACATE DISMISSAL

Leah Chavie, Debtor, by and through her attorney, Laxmi P. Sarathy, of Whitestone, P.C., respectfully moves this Honorable Court for an order vacating the dismissal of the Debtor's Chapter 13 case. In support of this Motion, the Debtor states as follows:

- 1) Debtor filed a voluntary petition for relief pursuant to Chapter 13 of the Bankruptcy Code, on November 15, 2022.
- 2) On or about January 25, 2023, the trustee filed a Motion to Dismiss For Unreasonable Delay.
- 3) In it's Motion the trustee alleged that the Debtor failed to:
 - a) provide affidavit of compliance,
 - b) provide copies of payment advices or other evidence of payment received within 60 days before filing the petition,
 - c) provide copies federal tax returns for the four-years preceding the filing of the petition,
 - d) begin payments within thirty days of filing the petition,
 - e) maintain payments to the trustee's office,
 - f) failed to resolve pending objections to the plan,
 - g) provide required business documents,
 - h) provide identification and or social security documentation, and,
 - i) file a complete plan.
- 4) Since the filing of the Motion, Debtor has resolved a substantial number of the objections; namely, Debtor has provided an income expense summary for the six months preceding the filing of this petition, copies of federal income tax return for the four-years preceding the filing of the petition, is current with the trustee payments, has amended plan to provide for many of the objections, has provided business documentation as well as identification and social security documentation.

- 5) Debtor attended the §341 meeting that was held on March 16, 2023, at 12:00 p.m.
- 6) Case was dismissed on March 22, 2023, for unreasonable delay.
- 7) On that day, undersigned counsel failed to appear timely because of technical issues that prevented her from appearing on zoom. The technical issues was temporary and was resolved thereafter but not in time for this Court's hearing.
- 8) Debtor requests that the case be reinstated for the following reasons:
 - a) Debtor has made substantial progress in working with the Chapter 13 trustee to become compliant with the requirements of the Chapter 13 plan;
 - b) Debtor is current with the trustee;
 - c) Debtor expects to pay its Illinois Department of Revenue obligations, which will allow her to continue her aesthetician practice in Illinois, income from which is the source of funds to pay her Chapter 13 plan; and,
 - d) And pay a dividend to her unsecured creditors, as outlined in her Amended Chapter 13 Plan.

WHEREFORE, for the reasons set forth above, the Debtor, Leah Chavie, respectfully requests that this Court enter an order:

1. Vacating the Order dismissing the Debtor's case, entered on March 22, 2023.
2. For such other relief as this Court deems proper under the circumstances.

Respectfully submitted,
Leah Chavie, Debtor

By: /s/ Laxmi P. Sarathy

Laxmi P. Sarathy, ARDC # 6297529
Whitestone, P.C.
17W775 Butterfield Rd., Suite 114
Chicago, IL 60181
Tel: 312-674-7965
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